



P O Box 645 • 607 Chief • Benkelman, NE 69021

February 27, 2017

VIA ELECTRONIC FILING

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street SW
Washington, DC 20554

Re: CC Docket 02-33-Notice of Permissive Detariffing of Wireline Broadband Internet Access Service by Hartman Telephone Exchanges, Inc. (Study Area 371557).

Dear Ms. Dortch:

Pursuant to the Commission's *Wireline Broadband Order*, Hartman Telephone Exchanges, Inc. hereby provides notice of its intent to discontinue offering wireline broadband internet access service on a tariffed basis. Effective July 1, 2017, Hartman Telephone Exchanges, Inc. plans to offer wireline broadband internet access service on a permissive detariffed, common carriage basis.

Please direct any questions to the undersigned.

Sincerely,

A handwritten signature in purple ink that reads 'Randall J. Raile, GM'.

Randall J Raile
General Manager

Cc: Dave McElhose at RVW, Inc.
Dale Anson, NECA Region Manager



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Notice of Permissive Detariffing of Wireline Broadband Internet Access Service
Effective July 1, 2017

Hartman Telephone Exchanges, Inc.
(STUDY AREA 371557)
607 Chief Street
Benkelman, NE 69021
Telephone: (308) 423-2000

CC Docket No. 02-33

February 27, 2017

Hartman Telephone Exchanges, Inc. hereby provides notice that it intends to cease offering wireline broadband internet access service on a tariffed basis. Effective July 1, 2017 Hartman Telephone Exchanges, Inc. will begin offering wireline broadband internet access service on a Title II, common carriage, permissive detariffed basis pursuant to paragraph 94 of the Federal Communications Commission's Wireline Broadband Order.¹ The geographic areas affected are those Hartman Telephone Exchanges, Inc. exchanges where DSL is technically feasible.

Today, this service is provided to Hartman Telephone Exchanges, Inc. The ISP purchases wireline broadband access service for use as a component in their broadband internet service sold to residential and business customers. End user service provided will not be affected by discontinuance of the tariffed offering by Hartman Telephone Exchanges, Inc. As stated in the attached customer notice, Hartman Telephone Exchanges, Inc. will continue to offer services to existing ISP customers under current rates, terms, and conditions until the end of their current term or upon replacement with a Broadband Commercial Agreement. Broadband Commercial Agreements will be made available in a nondiscriminatory manner to any provider desiring to purchase wireline broadband access service for use as a component in its broadband internet service sold to consumers.

Effective July 1, 2017, Hartman Telephone Exchanges, Inc. will make its wireline broadband internet access service on a permissive detariffed, common carriage basis through posting of rates, terms, and conditions available on our company website (www.bwtelcom.net) and in printed copy during normal business hours at the Hartman Telephone Exchanges, Inc. business office located at 607 Chief Street, Benkelman, NE 69021.

¹See *Appropriate Framework for Broadband Access to the Internet Over Wireline Facilities, Universal Service Obligations of Broadband Providers*, CC Docket No. 02-33, WC Docket No. 05-271, Report and Order and Notice of Proposed Rulemaking, 20 FCC Red 14853 (2005). FCC 05-150 (rel. September 23, 2005), (Wireline Broadband Order)



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CERTIFICATE OF SERVICE

I, Randall J. Raile, General Manager do certify that I have, on this 27th day of February, 2017:

1. Served by first class mail a copy of the foregoing Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

Governor Pete Ricketts
Office of the Governor
PO Box 94848
Lincoln NE 68509-4848

Secretary of Defense
ATTN: Special Assistant for Telecommunications
PENTAGON
Washington DC 20301

2. Served via electronic filing a copy of the foregoing Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

Nebraska Public Service Commission
ATTN: Telecommunications Department
1200 N Street
Suite 300
Lincoln NE 68508

3. Served via paper a copy of the foregoing Notice of Permissive Detariffing of Wireline Broadband Internet Access Service to the following:

BW Telcom Long Distance, Inc.
PO Box 645
Benkelman NE 69021

No action is necessary on your part. However, if you have any questions, please feel free to contact me.

Sincerely

A handwritten signature in purple ink that reads 'Randall J. Raile, GM'.

Randall J Raile
General Manager

CC: Dave McElhose, RVW Consulting, Inc.
Dale A. Anson, NECA Regional Manager



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February 27, 2017

BW Telcom Long Distance, Inc.
PO Box 645
Benkelman, NE 69021

Re: CC Docket 02-33-Notice of Permissive Detariffing of Wireline Broadband Internet Access Service by Hartman Telephone Exchanges, Inc. (Study Area 371557).

Dear Valued Customer:

Our records indicate that BW Telcom Long Distance, Inc. is currently purchasing wholesale broadband transport services from Hartman Telephone Exchanges, Inc. under NECA Tariff No. 5 ("Tariff"). This letter is to advise you that Hartman Telephone Exchanges, Inc. study area 372455 will discontinue provisioning service on July 1, 2017 pursuant to the Tariff. Services will be made available to you on a common carrier, non-tariffed basis. The existing relevant rates, terms, and conditions will not change until the end of your term or until replaced by a Broadband Commercial Agreement.

The rates, terms, and conditions for the Broadband Commercial Agreement will be available in printed copy during normal business hours at the Hartman Telephone Exchanges, Inc. business office located at 607 Chief Street, Benkelman, NE 69021.

The actions described above are taken in accordance with the FCC's Report and Order (FCC 05-150) released September 23, 2005 in Docket No. 02-33. In this order the FCC determined that facilities-based wireline broadband internet service providers could offer their services on a common carrier, permissively detariffed basis.

No action is necessary on your part. However, if you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in purple ink that reads 'Randall J Raile, GM'.

Randall J Raile
General Manager

Cc: Dave McElhose at RVW, Inc.
Dale Anson, NECA Region Manager